Demonstration against allotment of land to Amarnath Shrine Board

†*76.SHRI PRABHAT JHA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether demonstrations were held in Kashmir to protest against the land being given to Amarnath Shrine Board by Jammu and Kashmir Government;

(b) whether demonstrations were also held all over the country against the taking back of land from the Shrine Board;

(c) if so, locations where incidents of firing and lathi charge by police took place and the number of persons who died or were injured in the same;

(d) whether Government is considering to declare the land to be given to Amarnath Shrine Board as national land; and

(e) if so, the details of memoranda received by Government in this regard and the action taken thereon?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI SHRIPRAKASH JAISWAL): (a) and (b) The State Government of Jammu & Kashmir *vide* an order dated 26.05.2008 had approved the diversion of around 40 hectares of forest land (without any change in the proprietary status) for use by the Shri Amarnathji Shrine Board (SASB) to construct temporary facilities for the Amarnath Yatra. Misgivings about the true import of the order and the status of the land, and large scale propaganda and misinformation campaign by the separatist elements led to large scale protests and agitation in the Kashmir Valley, and resultant serious law and order problems.

Consultations at the level of the Governor (who is also Chairman of SASB) the State Government and various political parties, etc., resulted in a decision by the State Government, whereby it was resolved that the State Government would provide all the required infrastructure and facilities for the Amarnath Yatra, and cancellation of the order dated 26.05.2008. In turn, this was projected as taking back land which had been allotted to the Shri Amarnathji Shrine Board (SASB) and led to large scale protests and agitation in the Jammu region. Calls for 'Bharat Bandh' and 'Chakka Jam', etc., were also given by certain organizations, during which there were protests and demonstrations, etc., in various other parts of the country also.

(c) As per available information during the 'Bharat Bandh' on July 3, curfew had to be imposed in Indore, Madhya Pradesh after 4 persons were killed in communal clashes and resultant police action. Later, during the countrywide 'Chakka Jam' sponsored by some groups on August 13 between 0900-1100 hrs., Police had to resort to lathi charge in Chandigarh and Lucknow, to disperse the agitators. In Jammu and Kashmir, violent demonstrations occurred at a number of places in almost all the districts of the State except Leh and Kargil. Police had to resort to lathi charge/use of force on numerous occasions at different places in the affected districts to maintain law and order and to avoid any untoward incident. During the two months long agitation in both the provinces of Jammu and Kashmir, 51 persons are reported to have lost their lives, and 1806 persons, including 333 Police/PMF personnel were injured.

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†Original notice of the question was received in Hindi

(d) and (e) After talks between a 4-member committee appointed by the Governor and the Shri Amarnathji Yatra Sangharsh Samiti (SAYSS), an agreement was reached on 31st August, 2008, wherein it has, *inter alia*, been agreed that the State Government shall set aside for use by Shri Amarnathji Shrine Board exclusively, the land in question for the duration of the Yatra (including the period required for making arrangements), for the purpose of user, to provide various services and facilities for the Amarnath yatris and raise temporary pre-fabricated structures for this purpose. There shall be no change in the proprietary status/ownership/title of the land.

Killing of Swami Laxamananand in Kandhmal, Orissa

†*77. SHRI RUDRA NARAYAN PANY: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government is aware that Swami Laxamananand Saraswati of Kandhmal district in Orissa, had been gruesomely murdered in the night of Janmashtami;

(b) if so, information available with Government on the cause of incident;

(c) whether murderers have been caught so far;

(d) if not, advice and help being provided by Centre to the State in this regard;

(e) whether the murder has triggered a lot of tension; and

(f) if so, the measures taken or proposed to be taken by Government to pacify and end this tension?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (DR. SHAKEEL AHMAD): (a) and (b) As per information received from Government of Orissa, on 23.08.2008 at about 7.55 P.M., about 25 to 30 armed persons forcibly entered into the Jaleshpata Ashram under Tumudibandha Police Station of Kandhamal district and killed Swami Laxmanananda Saraswati and four others.

The Government of Orissa has reported that Mr. Justice S.C. Mohapatra, a retired High Court Judge, has been appointed by the State Government to enquire into the matter within six months and submit a report in respect of the following matters, namely:

(i) Analysis of the sequence of events and circumstances leading to the killing of Swami Laxmanananda Saraswati on 23.08.2008 and the incidents of violence in its aftermath;

(ii) The role, conduct and responsibility of the individuals, organizations, groups and/or agencies in precipitating/ committing the above crimes;

(iii) Whether the measures taken, the quantum of force used in anticipating, preventing and handling the situations were adequate;

(iv) Any other matter connected with the incidence or incidental thereto as the Commission may consider appropriate.

(c) and (d) A case has been registered in respect of this incident at Police Station Tumudibandha of Kandhamal District under Sections 147/148/452/302/120/149 IPC read with Section 25 and 27 of the Arms Act. The case is being Investigated by the Crime Branch of the Orissa